

REMARKS

Claims 64-90 are pending in this application, with claims 65 and 69-89 being withdrawn. By this Amendment, the specification and claims 64, 79 and 90 are amended. No new matter is added.

The courtesies extended to Applicant's representative by Examiner Castellano during the June 20 telephonic interview are appreciated. During this interview, a personal interview was refused and it was indicated that the proposed claim amendments raised new issues requiring further search and/or consideration and would not be entered. However, Examiner Castellano agreed to a personal interview prior to his next action after filing of a Request for Continued Examination (RCE) to resolve any remaining issues. Accordingly, Applicants request that the Examiner contact Applicants' representative to schedule an interview.

I. Rejoinder of Claims

In the Office Action, claims 65, 74, 76 and 79-89 are indicated to be withdrawn because the selected species does not include "as filter, pump or fuel gauge." Applicants disagree and believe that such attachments are generic to all species.

All embodiments talk about the invention mounting an attachment inside the tank in the portion in relief. The only illustrated embodiment of an attachment is in Fig. 6B and shows generically an attachment member in the specific form of a valve. However, the specification makes clear that the attachment need not be a valve, but could be a "pipe, a filter, a pump, a fuel gauge, or any retaining member" (page 2, lines 30-32). Because these can all take numerous conventional forms, it would be redundant and non-productive to provide drawings for each of these members. Moreover, these are not the subject of the species requirement. Rather, what distinguishes the four species is the shape and formation of the insert and portion in relief, not the type of attachment contained therein. Thus,

Applicants continue to believe that claim 65 and claims 74, 76 and 79-89 dependent therefrom are generic to all species and must be rejoined and considered.

Moreover, because claims 74, 76 and 79-89 are specifically addressed in current rejections, these claims appear to have been fully considered and were not withdrawn.

Nonetheless, because generic claim 64 is believed to contain allowable subject matter as discussed below, Applicants request rejoinder and consideration of all withdrawn claims that depend from claim 64.

II. Formal Matters-Definition of Pierce

The Office Action objects to the specification and claims use of the word "pierce." Although the primary ordinary meaning of pierce means "to cut or pass through"¹, Applicants appreciate the Examiner's concern about clarity and amend the claims and specification to change "pierce" to --pierce through--. Because the ordinary meaning and drawings as filed support this definition, no new matter is added. Withdrawal of the objections is respectfully requested.

III. Formal Matters-§112 Rejection

The Office Action rejects claim 79 under 35 U.S.C. §112, second paragraph. Claim 79 is amended for proper antecedent support. Withdrawal of the rejection is respectfully requested.

IV. Pending Claims Define Patentable Subject Matter

The Office Action rejects claims 64-68, 79, 80 and 80-90 under 35 U.S.C. §102(b) over U.S. Patent No. 4,952,347 to Kasugai and claims 74 and 81-86 under 35 U.S.C. §103(a) over Kasugai. These rejections are respectfully traversed.

¹ American Heritage Dictionary, Second College Edition.

As discussed during the June 20 telephone interview, the Examiner is construing the claims different from Applicants' intent. In order to further clarify the claims to avoid confusion, independent claims 64 and 90 are amended to specify that a portion of a wall is overmolded on and in direct contact with an insert, and that the overmolded wall portion defines a portion in relief that includes a housing. Moreover, an attachment (such as valve 24), separate from the insert, is attached to the portion in relief and at least partially received in the housing.

This is consistent with all of Applicants' embodiments where, for example, the portion in relief (22, 28) defined by the overmolded portion of wall portion 1 in direct contact with the insert (5) forms a housing (space in the middle of the insert between branches 21a, 21b, 21c) that partially receives an attachment (24) (Applicants' Figs. 6A-B and page 8, lines 1-25). Thus, the portion in relief is not arbitrarily located on any portion of a wall, but defined by the portion that is in contact with the insert. Moreover, the attachment is located partially within a housing formed by the portion in relief.

On the contrary, in Kasugai, the alleged insert (11a) is located at a different location on the wall (2) than the alleged attachment (valve 12, pipe 12a, or pipe 6d). Thus, even if Kasugai overmolds the pump nipple (11a), the portion of the wall that overmolds and is in direct contact with the "insert" (11a) does not form a portion in relief that receives an attachment separate from the insert.

Moreover, pump nipple (11a) cannot be an insert as claimed because Fig. 6 and col. 5, lines 5-10 clearly teach that covering portions 3a, 3b, 3c, and 3d are cutoff to expose the nipple (11a). Thus, the alleged insert (11a) fully penetrates wall 2 in Fig. 6.

Because Kasugai fails to teach each and every feature of independent claims 64 and 90 and because Kasugai fails to appreciate the problems overcome by the invention, claims 64 and 90 define over Kasugai and contain allowable subject matter.

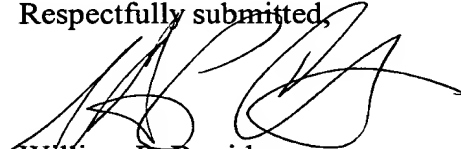
Dependent claims 66-68 are allowable for their dependence on allowable generic claim 64. Claims 65 and 69-89 are also allowable for their dependence on allowable generic claim 64 and should be rejoined and allowed. Withdrawal of the rejections is respectfully requested.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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